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American Samoa

Working paper prepared by the Secretariat

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I. Background information

1. American Samoa[1] is located in the South Pacific approximately 3,700 kilometres south-west of Hawaii and 4,350 kilometres north-east of Australia. It consists of seven islands (Tutuila, Aunuu, Ofu, Olosega, Tau, Swains and Rose) and several lesser islands belonging to the Samoan group. The total land area is 197 square kilometres, about 70 per cent of which is covered by dense forest. Tutuila, where Pago Pago, the capital, is located, is the largest island; it constitutes 70 per cent of the total land area and is home to 95 per cent of the population.[2]

2. It is generally believed that the Samoan archipelago was settled some 3,000 years ago by people migrating into the Pacific from South-East Asia. The Dutch were the first Europeans to find these islands, in 1722. Some settlers came to the islands in the early 1800s, followed by missionaries in 1830. By the late 1800s, internal strife among the chiefs and struggles among the colonial Powers of Germany, Great Britain and the United States of America led to a period of instability. Deeds of cession of these islands to the United States were formally accepted by means of an Act of Congress on 20 February 1929. Pursuant to this Act, the native inhabitants were given the status of American nationals. The Act provided for an American Samoan Government with all civil, judicial and military powers to be vested in a designee of the President of the United States. As the American interest in the area had been mainly military, the Territory was placed under the jurisdiction of the United States Navy. In 1951, an executive order transferred authority over the Territory to the Department of the Interior.

3. According to the Central Intelligence Agency estimates for July 2004, the population of American Samoa was 57,902, of which 51.2 per cent was male and 48.8 per cent was female. From 1990 to 2000, the population increased by 22.5 per cent. The annual population growth rate was 0.04 per cent. Ethnically, the population breaks down into 89 per cent Samoan/Polynesian, 2 per cent Caucasian, 4 per cent Tongan and 5 per cent others. Of the native population, 56.7 per cent were born in American Samoa, 6.3 per cent were born in the United States and 36.1 per cent were foreign born. Some 90.6 per cent of the population 5 years of age and older speaks Samoan, which is closely related to Hawaiian and other Polynesian languages, and English; and 2.9 per cent speaks English only. The literacy rate is 97 per cent. The median age is 22.4 years. Life expectancy is 75.62 years, with male life expectancy at 72.05 years and female life expectancy at 79.41 years. The annual birth rate is 24.46 births per 1,000 population and the annual death rate is 3.39 deaths per 1,000 population. The total fertility rate is 3.41 children born per woman. The annual net migration rate is -20.71. Half of the population is Christian Congregationalist (50 per cent), followed by Roman Catholic (20 per cent) and Protestant and others (30 per cent).[3]

II. Constitutional, legal and political issues

4. American Samoa is a Non-Self-Governing Territory under the administration of the United States of America. The Constitution adopted in 1960 was revised in 1967 and was subsequently amended in 1970 and 1977. Any amendments or modifications to the Constitution of American Samoa (as approved by the Secretary of the Interior) may be made only by an act of the United States Congress. In 1978, the people of American Samoa for the first time elected their own Governor. Since

1981, American Samoa has also elected, by direct vote, a non-voting delegate to the United States House of Representatives, who can, however, vote in committees. The most recent election was held on 4 November 2004.

5. Togiola T. A. Tulafano, who had been sworn into office in April 2003 following the sudden death of the previous Governor, was re-elected as Governor of American Samoa on 2 November 2004.

6. As American Samoa is an unincorporated and unorganized Territory of the United States, not all provisions of the United States Constitution apply. Residents of American Samoa are not United States citizens. They cannot vote in the United States general election but are permitted to participate in presidential primaries and caucuses. They are United States nationals who can freely enter the United States and work or reside anywhere they choose. American Samoa has its own immigration laws, and entry into American Samoa by foreigners is not the same as entry into the United States (in contrast with Guam, where United States immigration laws apply).[4] With respect to citizenship, according to a resolution passed in 2002 by the House of Representatives of American Samoa, children born in the Territory to foreign parents become citizens of either the mother's or the father's country of origin, not United States nationals.[5]

7. In February 2003, the new Immigration Law of American Samoa came into force, changing eligibility requirements for permanent resident status in American Samoa in certain categories, and giving the Attorney General, instead of the government-appointed Board, full authority over granting eligibility. This change allows many individuals who reside in the Territory for a long period of time to acquire permanent resident status.[6]

8. The Constitution provides for separate executive and legislative branches and an independent judiciary. All American Samoans over 18 years of age are eligible to vote. The executive branch comprises a Governor and a Lieutenant-Governor elected for four-year terms by universal adult suffrage. The Governor is responsible for executing both American Samoan and United States laws and has veto power with respect to legislation passed by the Fono. The Fono is a bicameral legislature, which comprises an 18-member Senate whose members are chosen by 14 traditional tribal councils, and a 21-member House of Representatives, 20 of whom are elected by popular vote and one appointed as a non-voting delegate from Swains Island. Only matais (or chiefs) can become senators. Senators hold office for a four-year term and representatives for a two-year term. The Fono may pass laws with respect to all local affairs, provided its laws are not inconsistent with United States laws in force in the Territory or with United States treaties or international agreements.

9. Of the total 11,502 votes counted in the November 2004 congressional race, the incumbent Eni F. H. Faleomavaega received 6,040 votes (52.5 per cent). This is Mr. Faleomavaega's ninth two-year term in Congress. The American Samoa representative to the United States House of Representatives has no voting power.[7]

10. In 2003, Congressman Faleomavaega proposed a change of the federal legislation that would introduce a plurality vote instead of a majority vote in elections in the Territory. Under the current system, a candidate can be elected if he or she obtains a majority of more than 50 per cent of the votes. Should no candidate pass this threshold, a run-off election is to be held 14 days later. The supporters of the proposed change maintain that owing to the time constraints, a run-off election

would exclude overseas voters, such as those in military service and college students. Under the proposed plurality voting system, a candidate who receives the most votes would be considered elected. The opponents of the proposal maintain that under such a system, an elected Governor, Lieutenant-Governor and Congressman might represent a minority of voters. On 30 October 2004, the President of the United States signed into law a bill, unanimously supported by the United States House of Representatives and the Senate, to provide for election of the American Samoa Delegate in Congress by plurality instead of majority if the Legislature of American Samoa so decides. The bill authorizes the Legislature of American Samoa to establish a primary election for the office of Delegate and specifies that if such primary is established, the Delegate shall be elected by a majority of votes cast in any subsequent general election. Therefore, the bill includes both plurality and majority voting. If, for example, the Legislature of American Samoa establishes primary elections, the general election for the office of the Delegate will be by majority. If the Legislature fails to establish primary elections, the general election for the office of Delegate will be by plurality. Finally, this bill also restores the voting rights of the absentees in federal elections held in American Samoa.[8]

11. The discussion of the proposed federal legislation on elections in the Territory once again brought to light the question of whether federal laws are applicable to the Territory and whether decisions affecting the Territory can be taken at the federal level. Several territorial Senators who opposed the bill considered it essential to have input from the local leaders to any proposed legislation or even argued that the Territory should adopt its own voting laws. A letter to this effect was sent to the United States Congress. Another proposal was to work with local leaders to establish primaries and legalize the party system.[9]

12. The main business of the Government is the management and distribution of federal income and capital subsidies. The traditional communal system provides the basis for a strong Government whereby leaders are responsible not only for the preservation of the social order but also for the economic welfare of the extended family. The federal Government underwrites most of the cost of preserving this system. This affiliation allows the United States to have access to and use of the Territory for defence and other purposes. The number of employees in the Government reached almost 30.9 per cent of the entire employed civilian population 18 years of age and older.[10] The Government also manages power, water and sewer systems through the American Samoa Power Authority.

13. The judiciary system consists of the High Court, with the Chief Justice and the Associate Justices appointed by the Secretary of the Interior, and the local District and Village Courts, with the judges appointed by the Governor. The current Chief Justice is the first native Samoan to be appointed to the position. The High Court is separated into Appellate, Trial and Land and Titles divisions. Since American Samoa is not part of a United States federal judicial district or circuit, there are no statutory provisions for appealing decisions of the High Court. American Samoa laws are textually identical to United States laws ("mirror laws"), where all references to the United States are substituted by references to American Samoa.

14. As was reported in previous years (A/AC.109/2002/12, para. 10; A/AC.109/2003/12, paras. 11-14), the question of applicability of the United States federal jurisdiction in the Territory has been widely discussed at the local and

federal levels in connection with the Daewoosa Samoa garment factory and medical insurance fraud cases. Discussions have also been held in connection with the changes in the federal Chil' Tax Credit law, which demanded that the tax return claims for dependent children be partially paid by the territorial Government. In his first State of the Territory address, the new Governor reported that of the 2003 fiscal year surplus of $2.7 million, the Government had to allocate $1.3 million to pay out the federal Child Tax Credit, as ordered by the High Court decision. He reminded the lawmakers that his predecessor had submitted legislation to the Fono that would delete child tax from local tax law, but that it had been rejected. He also announced that he was planning to resubmit similar legislation in 2004.[11]

III. Budget

15. The territorial budget consists mainly of federal grants-in-aid, the annual federal allocations through the Department of the Interior and locally generated revenue. In recent years, the Government experienced revolving financial difficulties (see A/AC.109/2002/12, para. 11; A/AC.109/2003/12, paras. 15-17), which were partially alleviated by the money received by the American Samoa Government as part of the Federal Tobacco Industry class-action lawsuit settlement, as well as through the efforts to streamline the work of the government offices.

16. According to the Governor of American Samoa, the Government was in the black again for the second consecutive year, with a surplus for 2004 that totalled $4 million. Moreover, according to the Governor, measures undertaken during the past eight years by his predecessor and continued by him to improve the Government's financial status through fiscal reform had paid off. The positive results had been achieved mainly by joint efforts of both the legislative and executive branches of the Government. According to an official press release of the Government of American Samoa, budget spending showed an excellent response from government departments on a directive to cut and tighten spending. The Treasury Office underwent drastic improvements in revenue collections, especially at the Customs Office and Tax Division. The increase in revenue was attributed to the collection of corporate and individual taxes, indirect costs and fees. Unaudited figures for fiscal year 2004 indicated in the fiscal year 2005 budget that the Government estimated that it had collected $58.5 million in local revenues in fiscal year 2004 and predicted that $64 million would be collected in fiscal year 2005.[12]

17. The annual budget of the Government of American Samoa for fiscal year 2005 that started on 1 October 2004, is $268.2 million. Of this amount, $64 million came from local revenues, with taxes providing $48 million, $9.7 million came from capital improvement projects, $13.9 million came from grants by the Department of the Interior, $87.5 million came from special federal grants and $93 million came from enterprise funds.[13] The budget is 15.4 per cent higher than that for fiscal year 2004.[14] According to the Governor, the budget figures reflect the continuation of the fiscal policy instituted by his Administration, which aims to restore fiscal integrity and limit spending to identified and budgeted revenues.[15]

18. On 16 October 2004, the President of the United States signed into law a bill approved by unanimous consent of the United States House of Representatives and Senate, which amends the United States code to provide the Government of American Samoa with the authority to issue bonds exempt from state and federal

taxation. This bill makes American Samoa bonds more attractive to investors and will save the Government of American Samoa interest costs on municipal bonds it may issue.[16]

IV. Economy

A. General

19. Economic activity in general is strongly linked to the United States. About 93 per cent of American Samoa's economy is based on United States federal expenditures and the canning industry, while the remaining 7 per cent stems from a small tourism industry and a few businesses that sell exclusively to the local market. Prospects for agricultural development are limited owing to the small amount of land suitable for cultivation. The largest trading partner of American Samoa is the United States, followed by New Zealand, Australia and Fiji. Imports are mainly food and petroleum products, machine parts, building materials, textiles and clothing. Canned tuna accounts for 97 per cent of exports. Ninety per cent of goods and products are imported.[17]

20. Tuna fishing and tuna processing plants are the backbone of the private sector, with canned tuna as the primary export, meeting 20 per cent of the United States market. This sector employs a third of the people. The Government employs another third. Attempts by the Government to develop a larger and broader economy are constrained by American Samoa's remote location, limited transportation and devastating hurricanes, as well as competition from neighbouring islands with lower wage levels and from larger, more efficient businesses in the United States.

21. According to the Governor, the Territory's economy in 2004 was healthy, with exports exceeding imports, preventing a trade deficit, thanks mainly to the tuna industry. Imports totalled $324.7 million versus exports of $495.5 million, creating a surplus of $134.8 million. He also noted that 394 new businesses and 800 new jobs were added to the local economy. At the same time, the cost of living continued to climb, increasing to 6 per cent in 2004 from 2.2 per cent in 2003. The increase was mainly attributed to factors outside the Territory and beyond local control, such as the heavy dependency on imported goods, the rise of oil prices and the continuous demand for materials and supplies needed for home repairs and improvements.[18]

22. In order to support a healthy financial state, according to the Governor, it is necessary to continue efforts at economic diversification with steps towards e-commerce, the processing industry, import substitution and export earning initiatives, ecotourism and air and surface transportation improvement. The Governor approved two courses in e-commerce to be introduced in the American Samoa Community College.[19]

23. In order to stimulate economic development, the United States Department of the Interior organized a conference on "Business Opportunities in the Islands" on 23 and 24 September 2004. More than 900 people participated in the conference, including Heads of State, Governors, business executives and private sector island officials, leading to a number of investment and trade initiatives.[20] Addressing the summit, the United States Secretary of the Interior referred to American Samoa as the only United States Territory in the South Pacific and highlighted some of the

competitive advantages of American Samoa, including duty-free access to the United States, an English-speaking workforce of over 17,000 people, locally controlled immigration and well-developed infrastructure (satellite telecom and Internet capabilities and established industrial parks). The Secretary of the Interior also drew attention to selected business opportunities in American Samoa, such as export-oriented manufacturing (like the tuna-processing industry) and professional services (management contracts, workforce-management training and technology consulting services), tourism (diversified services, such as ecotourism and conference tourism), tax exemption incentives and international banking services.[21] Currently, more Samoans live abroad than in American Samoa. An estimated 70,000 Samoans live in the United States, with 20,000 of them in Hawaii. This large number of overseas Samoans accounts for the large amount of remittances sent home, which contributes to American Samoa's economy.[22]

B. Agriculture and fisheries

24. Agriculture, hunting, forestry and fishing employ less than 3 per cent of the population and provide little surplus for export. The most important crops include taro, coconuts, bananas, oranges, papayas, breadfruit and yams. According to the Department of Agriculture, at present, the Territory covers 95 per cent of its food needs through imports.

25. The fishing industry constitutes 90 per cent of the Territory's economy and employs one third of its workforce. American Samoa's tuna processing industry is the fourth largest in the world. The industry is an important source of government revenue, with corporate taxes from the StarKist facility alone totalling $3 million in 2003. As was reported previously (A/AC.109/2003/12, para. 24), the Government had expressed concern about the Andean Trade Preference Act and the Association of Southeast Asian Nations duty-free treatment, which could have a strong negative effect on the tuna industry of American Samoa. During the reporting period, the Government and the American Samoa delegate to the House of Representatives continued to lobby for the protection of the Territory's tuna industry, particularly through the extension of the Internal Revenue Service 936 federal tax benefits. On 8 February 2005, Congressman Faleomavaega introduced legislation to extend IRS 936 tax credit to American Samoa's tuna industry for 10 additional years in order to oppose a duty-free treatment for canned and pouched tuna from Latin America, in the framework of the Andean Free Trade Agreement negotiations. Since 80 per cent of the American Samoa private-sector economy is dependent either directly or indirectly on two United States tuna canneries (StarKist and Chicken of the Sea), the fear in the Territory is that the Andean Free Trade Agreement will devastate the local economy. Under the new agreement, the Congress will have no say in the negotiations and will not be able to amend any offers put forward by the President of the United States.[23]

C. Tourism

26. Despite the Government's efforts to encourage tourism, the industry remains small. American Samoa has little tourist infrastructure, with only one hotel (80 per cent government-owned), and a total of 260 hotel/motel rooms in Tutuila and Mau'a and a number of small hotels.

27. The official website of the Office of Tourism notes that American Samoa is in the initial stages of tourism development. The main attractions are the sand, sun and coral seas. There is also hiking and fishing.

28. Around Christmastime, international cruise ships stop in the Territory. During the 2003/2004 New Year season, five such stops, including the Queen Elizabeth, visited the Territory. The ships were met by the usual local activities of entertainment by dance groups and the local handicraft market.[24] There is potential, however, for ecotourism, with the establishment of the National Park of American Samoa in 1993. The 8,000-acre park, which spreads over three islands, protects the only mixed-species paleotropical rainforest in the United States and includes 1,000 acres of the finest coral reef in the Territory.[25]

D. Transport and communications

29. There are approximately 150 kilometres of paved roads and 200 kilometres of secondary roads in American Samoa. The highway system is generally in poor shape owing to the effect of hurricanes, the age of the roads and inadequate maintenance.

30. Pago Pago harbour is an all-weather deep-draught harbour, one of the best natural deepwater harbours in the South Pacific Ocean and of strategic importance in the region. The main dock is 1,000 feet long, handling ships of up to a 32-foot draught. Pago Pago harbour provides the full complement of equipment and facilities and has a ship repair facility with a 3,000-[illegible] marine railway.[26]

31. There are four airports in the Territory, situated on the islands of Tutuila, Ofu, Olosega and Ta'u. Pago Pago International Airport is owned and operated by the territorial Government. It is regularly served by a number of airlines that link American Samoa with Hawaii and the United States mainland and other countries in the South Pacific. Hawaiian Air provides direct air service from Pago Pago to Honolulu. Polynesian Airlines, Air New Zealand and Air Pacific provide regional air service to New Zealand, Australia, Fiji, Vanuatu, Tonga, New Caledonia, Tahiti and the Cook Islands. The national airline, Samoa Air, flies to Tonga and other destinations and is available for charter. Domestically, Samoa Air flies regularly to Ofu, Olosega and Ta'u Islands and makes several flights a day to Samoa. American Samoans travel very frequently by air.

32. The United States Government provided $2 million to fund the construction of a temporary airport tower at the Pago Pago International Airport on 8 December 2004, as part of the Omnibus Appropriations Bill signed by the House of Representatives and the Senate on 20 November 2004.[27]

33. In 2003, the airline industry received further additions with Aloha Airlines entering the Honolulu-Pago Pago market and four airlines — including two from Honolulu — interested in operating domestic flights. In January 2005, Aloha Airlines discontinued its flights to Pago Pago, after filing for chapter 11 at the United States Bankruptcy Court in Honolulu earlier.[28] The Government of American Samoa, led by Deputy Prime Minister Misa Telefoni, is currently engaged in talks with the Australian low-cost carrier Virgin Blue, which is scheduled to launch a new airline, Polynesian Blue, a low-cost joint-venture carrier. This move is part of the Government's plans to bring in more tourists by providing cheaper airfares and lessen the national carrier's dependence on public funds.[29]

34. Addressing the Interagency Group during the Insular Affairs Summit in September 2003, the Governor of American Samoa referred to the hardships imposed upon the Territory by air cabotage rules, which restricted the ability of foreign airlines to serve the Territory. He asked for a limited exemption to the cabotage rule for American Samoa because this isolated Territory was heavily dependent on air travel.[30]

35. American Samoa, through the overseas communications satellite corporate link, has direct telephone dialling to most countries. There is a choice of mobile telephone service providers. Internet service to the World Wide Web is provided by the territorial Government's Office of Communications. The Territory has four radio stations and a government-owned television station, two privately owned newspapers, a government-owned TeleCommunications Authority and the privately owned Blue Sky Communications.[31]

E. Water, sanitation system and utilities

36. The American Samoa Power Authority (ASPA), which is government-owned, provides water, wastewater, solid-waste and electric services to customers on five of the seven islands. ASPA provides safe drinking water to 90 per cent of the Territory from 57 wells, with the remaining part being serviced by outer-village systems. It is responsible for restoring, maintaining and protecting the water supply during natural and man-made breakdowns. The daily capacity of the water system is 8 million gallons per day from high-quality groundwater and surface sources, half of which is consumed by the food processing industry. According to the Government, the drought that struck the Territory two years ago prompted measures to improve the infrastructure and to better maintain the existing facilities. Efforts at improving infrastructure and training additional personnel are being continued.[32]

V. Social conditions

A. Labour

37. The Territory is characterized by low per capita income and a significant unemployment rate. The total labour force of American Samoa consists of 17,664 workers. About one third of the labour force consists of aliens, mostly from Samoa. The largest employer, with approximately 4,282 employees, is the Government of American Samoa. The Territory's per capita income is $4,357 and the unemployment rate is 12 per cent.

38. American Samoa is one of the two United States Territories in which employers are allowed to pay workers less than the mainland minimum wage to ensure compatibility with the prevailing cost of living. Wages in the Territory are set not by federal law but by recommendation of a special United States Department of Labor committee that reviews economic conditions every two years and establishes minimum wages by industry under the Fair Labor Standards Act. As of October 2002, the wages are as follows: government employees at $2.77; fisheries at $3.26; and shipping and transportation at $4.09.

39. As was reported in the previous working papers (A/AC.109/2002/12, para. 30; A/AC.109/2003/12, paras. 38-40), the Government sponsored an attempt to launch a garment manufacturing sector involving foreign workers. The mistreatment of the workers by the factory management led to a class-action suit and the case against the owner of Daewoosa garment factory.

40. In March 2003, the Honolulu federal jury issued its verdict on the Daewoosa case. The defendants were found guilty and were expected to be sentenced in July 2003.[33] However, by the end of 2003, the three-year-old Daewoosa case had not yet seen its conclusion. Two people in the case received prison sentences of, respectively, four years and three months and five years and 10 months, and two former managers were acquitted. At the same time, the sentencing of the former owner of the factory who was found guilty of 11 counts of involuntary servitude, as well as conspiracy, extortion and money-laundering, was further delayed until the spring of 2004. The defence still maintains that federal law provides for the High Court of American Samoa to hear cases involving crimes within the Territory and that the Government had no right to bring the defendant to Hawaii.

41. As was reported previously, the applicability of federal jurisdiction to this case was questioned by the defence and some observers from the outset of the case (see para. 14 above and A/AC.109/2003/12, paras. 38-40).[34]

B. Education

42. Education is compulsory from 6 to 18 years of age. The educational system in American Samoa is broadly based on the United States pattern. There are 30 public primary, 6 private and 160 village schools.

43. As was reported previously (A/AC.109/2003/12, para. 42), American Samoa had the lowest average score in the National Assessment of Educational Progress administered nationwide by the federal Department of Education. The "high risk" status issued by the Department has been addressed with policies to improve the collaboration between it and the local Department of Education. The results of this collaboration are the improvement of the local Department of Education and the release of federal educational funds without penalizing the Territory.[35]

44. American Samoa Community College offers two-year degree courses in arts and sciences and programmes offering certificates of proficiency in vocational and clerical skills, business and nursing. San Diego State University offers bachelor's and master's degree programmes in Tutuila, which enable the student to obtain an advanced college degree without moving off-island.

45. In November 2004, the United States House of Representatives and Senate approved $640,000 for the American Samoa Community College to improve its trades, industries and technology programme in the Labor, Health and Education Appropriations Act.[36]

C. Public health

46. Most social programmes in the Territory, including those related to public health, are funded by the federal Government. The main hospital in the Territory, the Lyndon Baines Johnson Tropical Medical Center, has 140 beds and a staff of 25

physicians. Medical, dental and pharmaceutical services are available 24 hours a day. For serious cases, off-island treatment, including hospitalization in Guam, Hawaii or the United States mainland, is provided.[37]

VI. Environment

47. According to the World Wildlife Fund, American Samoa contains 1 of the 10 most vulnerable forests in the world and only 0.2 per cent of the forest is protected. The Forest Service of the United States Department of Agriculture, in partnership with the territorial Government, has been implementing a number of programmes aimed at promoting the health and productivity of the Territory's forest lands. These programmes are focused on public education and tree planting, agroforestry, water resources, coastal stabilization, community beautification, late successional rainforest tree species, wood products, wildlife and conservation practices. In 2002, the Government of American Samoa bought 2,872 acres of forest from Salelologa village, an area rich in biodiversity, and in August 2004, the Minister for Natural Resources and Environment announced that it would become a national park.[38] To help mitigate the effects of human use, the American Samoa Coastal Management Program was established for the coastal zone, which includes all land (126 miles of coast) and sea within 3 miles of the shoreline.

48. In September 2004, American Samoa received over $3 million in additional funding from the federal Government to assist with Environmental Protection Agency programmes in American Samoa that will be used for the Tufuna Plains Sewer Project, a construction of wastewater collection and conveyance system.[39]

49. Hurricanes and tropical storms pose a great threat to American Samoa. The typhoon season in American Samoa dates from December to March. Normally the islands are not on the storm track. However, in the last 10 years, the hurricane El Niño has hit American Samoa during the period of its activity.[40] Federal disaster funds were made available for American Samoa after the island of Tutuila was struck, in January 2004, by heavy rains and heavy winds and surf generated by tropical cyclone Heta. The Federal Emergency Management Agency provided $11.5 million in temporary disaster housing grants to people whose homes had been damaged. The agency also provided more than $13.8 million for other needs directly related to cyclone Heta. The United States Small Business Administration approved approximately $5.6 million in low-interest disaster loans to homeowners, renters and business owners to cover costs for the long-term repair and rebuilding. An amount of $1.2 million under the Federal Emergency Management Agency's Public Assistance Program was approved for the Government of American Samoa to cover 90 per cent of the costs incurred by the territorial Government owing to Heta.[41]

VII. Relations with international organizations and entities

50. American Samoa is a member of several regional organizations, including the South Pacific Commission, the Pacific Basin Development Council, the Pacific Tuna Development Foundation, the Pacific Islands Association, the Asian-South Pacific Bureau of Adult Education, the Pacific Asia Travel Association, the South Pacific Regional Environment Programme and the Council of Pacific Arts. It also belongs to such United States organizations as the National and Western Governors'

Conferences. The Government of American Samoa has signed memorandums of understanding with the Governments of Samoa and Tonga on mutual economic cooperation and has sent trade missions to a number of countries in the Pacific region.

51. American Samoa belongs to various regional bodies of the United Nations system, including the World Health Organization (WHO), the Regional Office for the Western Pacific and the WHO Pacific Regional Centre for the Promotion of Environmental Planning and Applied Studies. The Territory has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1988.

52. In October 2002, American Samoa joined the South Pacific Applied Geoscience Commission. The Territory is reportedly seeking assistance from the Commission in the development of its water resources and advice on reducing the risk of natural disaster.[42]

VIII. Future status of the Territory

A. Position of the territorial Government

53. In a statement made in 1993, the Lieutenant-Governor of American Samoa indicated that American Samoa preferred to remain a Territory of the United States (see A/AC.109/1159, paras. 25-31). This position remains unchanged. This position has been maintained by the officials of American Samoa over the years.

B. Position of the administering Power

54. In a statement made at the 72nd plenary meeting of the General Assembly on 9 December 2003 (see A/58/PV.72), a representative of the United States said that the United States could not support the draft resolution (A/58/L.21) on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, because by adopting a narrow definition of decolonization, the draft resolution failed to take into account the complex reality of Non-Self-Governing Territories. For the United States, the very term "non-self-governing" seemed inappropriate for those who were able to establish their own Constitution, elect their own public officers, have representation in Washington, D.C., and choose their own economic path.

55. The United States was fully supportive when countries chose independence and was proud to welcome them as equal and sovereign partners. For Territories that did not choose independence, however, the United States also supported the right of people in those Territories to a full measure of self-government, including the rights to integration and free association. The United States expressed its view that the world encompassed a variety of peoples, places and political circumstances and that richness did not allow for just one path. It believed that a single standard of decolonization should not be applied to every Territory and called upon all Member States to respect the choices made by residents of Non-Self-Governing Territories.

56. In conclusion, he said that the United States looked forward to a significant dialogue with the Special Committee in 2004 and that it was the hope that all parties

would cooperate to achieve a reduction in the number of Non-Self-Governing Territories.

C. Consideration by the United Nations

57. On 10 December 2004, the General Assembly adopted without a vote resolutions 59/134 A and B, section I of resolution 59/134 B being devoted specifically to American Samoa.

Notes

[1] The information contained in the present working paper has been derived from information transmitted by the administering Power under Article 73 *e* of the Charter of the United Nations and from published and Internet sources.

[2] Federal Emergency Management Agency, www.fema.gov/regions/ix/amsamoa.

[3] www.cia.gov/cia/publications/factbook.

[4] Bank of Hawaii, 1997 economic report: American Samoa.

[5] BBC Monitoring Asia Pacific, 27 September 2002.

[6] *Samoa News*, 4 February 2003.

[7] Ibid., 3 November 2004.

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